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Supreme Court, U.S.
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No. 96-1926

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IN THE
SUPREME COURT OF THE UNITED STATES

October Term, 1996

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GERALDINE WILLIAMS
AND
WOODROW WILLIAMS, JR.

Petitioners,

- v -

FRANKLIN FIRST FEDERAL SAVINGS BANK AND
SHERIFF OF LUZERNE COUNTY,
SHERIFF'S DEPARTMENT OF LUZERNE COUNTY

Respondents.

On Petition For Writ of Certiorari
To The Supreme Court of Pennsylvania
Middle District

RESPONSE TO BRIEF IN OPPOSITION BY PETITIONERS

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RESPONSE TO BRIEF IN OPPOSITION

The Petitioners, Geraldine Williams, native of Pennsylvania, and Woodrow Williams, Jr., pray that this Honorable Court, through their Heart, Mind, and their Oath to uphold Justice and the Constitution of the United States Grant Certiorari in this matter.

The Petitioners offer as indisputable facts:

- Mortgage loans, Foreclosures, and Bankruptcy matters all come under Federal rules, regulations and Federal law. Constitutional Law is involved in this case and The United States Supreme Court has proper jurisdiction in these matters.
- Franklin and the Sheriffs Department foreclosed without a lift stay hearing and after receiving Notice of Suggestion of Bankruptcy.
- Franklin bought the home at foreclosure and

through this sale Franklin was lawfully bound to release the liens of record against this property.

- A Federal Bankruptcy Judge returned the property to the Petitioners after finding that an improper foreclosure had taken place and ordered the property returned with all expenses to be borne by Franklin.
- During the three years that the home was in the possession of Franklin, Franklin did not pay the taxes and Franklin allowed the property to deteriorate and go to waste. The property is uninhabitable and unsafe through the actions of negligence by Franklin.
- The Petitioners sought relief through the courts and asked for a hearing and a trial by jury for an award of damages.
- The Petitioners were never granted a hearing in the matter of non-payment of taxes and damages

to the property and negligence by Franklin.

- Franklin, by the admission under oath of Mr. Johnson, Vice President of Franklin at the time, in a Federal Bankruptcy Court, stated that Franklin has no loan of record signed by the Petitioners and therefore, no monies are due from the petitioners to Franklin.
- Franklin is still carrying this loan on their books as owed even though Franklin has no loan of record, the petitioners' cannot get a loan to repair the home and make the home habitable and safe, taxes have escalated enormously because of non-payment of taxes by Franklin creating undue financial hardship on the Petitioners who are senior citizens.
- The Petitioners have been egregiously harmed by the actions of Franklin and the Sheriffs Department.

- Any party that causes damage to occur to another's property must be held liable. To rule otherwise would give a message that destruction and negligence is permissible under the law.
- Certainly when one has possession of property they are liable to pay the taxes. Franklin did not pay any taxes while the home was in Franklin's possession. Franklin is asking this Honorable Court to exonerate Franklin from the responsibility of paying those taxes and the escalated costs associated with the non-payment of those taxes.

Amendment XIV of the United States Constitution provides that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the

laws".

The Petitioners stand on the contents of their original Brief of a **Petition for Writ of Certiorari** and Pray that this Honorable Court consider the contents of their Petition and Grant Certiorari.

Respectfully Submitted,

Woodrow W. Williams Jr
WOODROW WILLIAMS, JR.

Geraldine Williams
GERALDINE WILLIAMS

DATED: July 25, 1997